

IGDINST 1424.630

A&IM

DECEMBER 16, 1991



LEAVE ADMINISTRATION POLICY AND PROCEDURES

**INSPECTOR GENERAL
DEPARTMENT OF DEFENSE**



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-2885

CHANGE 4

JAN 6 2000

1/21/03

MEMORANDUM FOR ASSISTANT INSPECTOR GENERAL FOR AUDITING
ASSISTANT INSPECTOR GENERAL FOR INVESTIGATIONS
DIRECTOR FOR ADMINISTRATION AND INFORMATION
MANAGEMENT
DIRECTOR FOR DEPARTMENTAL INQUIRIES
DIRECTOR FOR INTELLIGENCE REVIEW

SUBJECT: Revised Leave Recipient Application Form

Effective immediately, the approving/disapproving authority for leave recipient applications will be the employee's first level supervisor vice the Office of the Inspector General (OIG) Component Head.

The revised IG Form 630-1, November 1999, Leave Recipient Application, reflecting this change is attached. The form can be accessed in Form Flow located on the Office of the Inspector General, Department of Defense intranet. Select from the main menu "Services" then "OIG Forms" and look for file name 1424_1.fpr. All previous editions of the leave recipient application form are obsolete and will not be accepted after January 31, 2000.

This change will be reflected in the next revision of the Office of the Inspector General, Department of Defense Instruction 1424.630, Leave Administration Policy and Procedures. Please ensure this information is made available to all employees.

If you have questions regarding this change, please contact Napoleon Walker on (703) 604-9745.

Linda M. Martz

Linda M. Martz

Chief

Employee Relations Division

cc:
Executive Assistant
Special Assistant

VOLUNTARY ANNUAL LEAVE TRANSFER PROGRAM LEAVE RECIPIENT APPLICATION

Participation in this program is voluntary, however, solicitation of this information is authorized by P.L. 100-566, October 31, 1988. The information furnished will be used to identify records properly associated with the application to become a leave recipient. It may also be disclosed to a national, state, or local law enforcement agency where there is an indication of a violation or potential violation of civil or criminal law, rule or regulation; or to another agency or court where the Government is party to a suit. Executive Order 9397, November 22, 1943, authorizes use of the Social Security Number (SSN). Furnishing the SSN, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application.

1. EMPLOYEE IDENTIFICATION

a. NAME (Last, First, Middle Initial)	b. SOCIAL SECURITY NO.
c. POSITION TITLE	d. GRADE/STEP
e. ORGANIZATION (AIG Component, Division, Branch)	

2. LEAVE DATA

a. AS OF END OF LAST PAY PERIOD (YYYYMMDD)	b. ANNUAL LEAVE BALANCE	c. SICK LEAVE BALANCE	f. DATE AVAILABLE LEAVE EXPIRES (YYYYMMDD)	g. ACCRUAL RATE FOR ANNUAL LEAVE
	d. CREDIT HOURS	e. COMPENSATORY HOURS		

3. MEDICAL EMERGENCY

a. DESCRIPTION (Briefly describe the nature, severity and anticipated duration of the medical emergency, and if it is a recurring one, the approximate frequency of the medical emergency that will affect your need for leave transfer. Attach appropriate medical documentation.)

b. INDIVIDUAL AFFECTED BY MEDICAL EMERGENCY (check one) ☐ Employee ☐ Employee Family Member

c. DATE THE MEDICAL EMERGENCY BEGAN

d. DATE THE MEDICAL EMERGENCY ENDED (or is expected to end)

e. CONTACT DURING PERIOD OF EMERGENCY

(1) EMPLOYEE TELEPHONE NUMBER	(2) OTHER POINT OF CONTACT (If Applicable)	
	(a) Name (Last, First, Middle Initial)	(c) Address (Street, City, State and Zip Code)
	(b) Telephone Number (Include Area Code)	

4. APPLICANT CERTIFICATION. I authorize the Personnel and Security Directorate and/or OIG officials involved in the Voluntary Leave Transfer Program to release information in Items 1 and 3 above. I am aware that publication of all or part of this information may be necessary to find leave donors. I certify that the above statements are true.	
a. SIGNATURE (If other than the applicant, attach applicant's authorization)	b. DATE SIGNED (YYYYMMDD)
5. IMMEDIATE SUPERVISOR (Complete, notify applicant, and forward to the Personnel and Security Directorate within 10 days of request)	
<p>_____ Request is Approved. The employee (named in item 1 above) meets required criteria for leave transfer.</p> <p><i>NOTE: Before giving approval, ensure appropriate medical certification accompanies this application. (Appropriate medical certification is certification from a physician or other appropriate experts, which clearly states that the employee is unable to work due to a medical condition of the employee or a family member. The medical certification must also provide a brief description of the reason(s) for the absence and includes the beginning and ending period [or an estimation] of the medical emergency. If the medical emergency is a recurring one, the medical certification must include the approximate frequency of the employee's medical emergency.)</i></p> <p>_____ Request is Disapproved. (If disapproved, enclose a statement of explanation.)</p>	
a. NAME OF APPROVING OFFICIAL (Type or Print)	b. ORGANIZATION
c. SIGNATURE	d. DATE (YYYYMMDD)
6. FORWARD TO PERSONNEL AND SECURITY DIRECTORATE FOR APPROPRIATE ACTION.	

IG FORM 1424.630-1, NOVEMBER 1999 (Reverse)

Office of the Inspector General
Department of Defense

Change No. 3
November 11, 1993

The following change to IG Instruction 1424.630, Leave Administration Policy and Procedures, Chapter 4 -Voluntary Leave Transfer Program, page 4-4, section 4-4, "Approval of the Application for Leave Transfer," subparagraph a(3) (a) has been authorized and is changed to read as follows:

"A medical emergency is defined as a medical condition of the employee or a family member that is involuntary and beyond the control of the leave recipient and is likely to require an employee's absence from duty for a prolonged period of time resulting in substantial loss of income to the employee because of the unavailability of appropriate paid leave. (Maternity situations meet this criteria and should be considered in the same manner as other incapacitating medical conditions of similar duration.)"

A handwritten signature in black ink, appearing to read "Nicholas T. Lutsch", is written over a horizontal line.

Nicholas T. Lutsch
Assistant Inspector General for
Administration and Information Management



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-2884

November 22, 1993

MEMORANDUM FOR ASSISTANT INSPECTOR GENERAL FOR ANALYSIS
AND FOLLOWUP

ASSISTANT INSPECTOR GENERAL FOR AUDITING
ASSISTANT INSPECTOR GENERAL FOR AUDIT POLICY
AND OVERSIGHT
ASSISTANT INSPECTOR GENERAL FOR CRIMINAL
INVESTIGATIVE POLICY AND OVERSIGHT
ASSISTANT INSPECTOR GENERAL FOR
DEPARTMENTAL INQUIRIES
ASSISTANT INSPECTOR GENERAL FOR INSPECTIONS
ASSISTANT INSPECTOR GENERAL FOR
INVESTIGATIONS

SUBJECT: Change to IG Instruction 1424.630, Leave Administration Policy and
Procedures, Chapter 4 Voluntary Leave Transfer Program

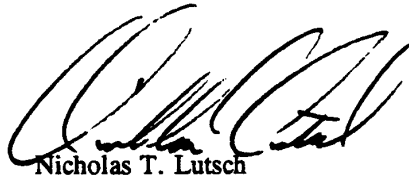
This memorandum issues a change to the IG Instruction 1424.630, Leave Administration Policy and Procedures, Chapter 4 - Voluntary Leave Transfer Program, which reflects revised guidance from the Office of Personnel Management (OPM).

In earlier guidance, OPM indicated that a maternity situation without unusual complications should not be considered a "medical emergency" under the Federal Leave Policy program. The OPM has now determined that continuance of this policy would be inappropriate in light of the Pregnancy Discrimination Act~ (Public Law 95-555, October 31, 1978).

Change 2 to IG Instruction 1424.630, Leave Administration Policy and Procedures, is enclosed for implementation.

If you have any questions, please contact the Employee Relations Division on 703) 693-0257.

FOR THE INSPECTOR GENERAL:

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Nicholas T. Lutsch
Assistant Inspector General for
Administration and Information Management

Enclosure

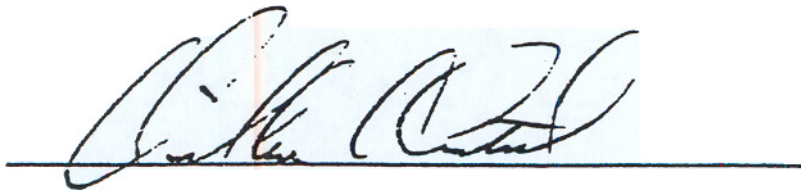
cc: Executive Assistant

Office of the Inspector General
Department of Defense


Change No. 2
August 21, 1992

The following pen change to OIG Instruction 1424.630, Leave Administration Policy and Procedures, Chapter 9 -Excused Absence, has been authorized:

Page 9-2, Section 9-7, "Taking Examinations" is changed to read as follows: "Employees will be excused, without charge to leave or loss of pay, for all examinations required for converting TAPER appointments to career-conditional or for required noncompetitive examinations within the OIG, DoD. Excused absence will be given to employees taking the Certified Public Accountant (CPA) examination and other certification exams as determined by the agency head as beneficial to the OIG, DoD."

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Nicholas T. Lutsch
Assistant Inspector General for
Administration and Information Management

INSPECTOR GENERAL PUBLICATIONS SYSTEM TRANSMITTAL		
NUMBER IGDINST 1424.630 Change 1	TITLE Leave Administration Policy and Procedures	DATE July 10, 1995
ATTACHMENTS Not applicable.		
<p>INSTRUCTIONS FOR RECIPIENTS.</p> <p>The following changes to IGDINST 1424.630, "Leave Administration Policy and Procedures," December 16, 1991, are authorized.</p> <p>a. Write in Changes:</p> <p>(1) Page 2-1, paragraph 2-2b, line 1, delete "multiples and insert "increments"; delete "1/2 an hour" and insert "15 minutes."</p> <p>(2) Page 9-2, paragraph 9-6c, line 3, delete "30" and insert "15."</p> <p>b. The above changes allow supervisors to charge annual leave, sick leave and leave without pay in increments of 15 minutes. This change is effective immediately.</p> <p>FOR THE INSPECTOR GENERAL:</p> <div style="text-align: center;">  Nicholas T. Lutsch Assistant Inspector General for Administration and Information Management </div> <p>Distribution C</p>		
WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT.		

INSPECTOR GENERAL INSTRUCTION 1424.630

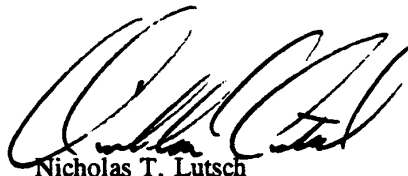
LEAVE ADMINISTRATION POLICY AND PROCEDURES

FOREWORD

This instruction is issued to provide general policy guidance and instructions and state responsibilities for establishing and administering the leave policies of the Office of the Inspector General, Department of Defense (OIG, DoD). It will serve as the guide to efficient and effective administration of leave.

Recommended changes to this instruction will be forwarded through appropriate channels to the Assistant Inspector General for Administration and Information Management, ATTN: Chief, Employee Relations Division.

FOR THE INSPECTOR GENERAL:

A handwritten signature in black ink, appearing to read 'N. T. Lutsch', is positioned above the printed name.

Nicholas T. Lutsch
Assistant Inspector General for
Administration and Information Management

Distribution C

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CHAPTER 1 GENERAL

1-1. Purpose. This instruction prescribes policies, responsibilities, and procedures governing the administration of leave for civilian employees of the Office of the Inspector General, Department of Defense (OIG, DoD). It also establishes policies, procedures, and responsibilities for the Voluntary Leave Transfer Program.

1-2. References

- a. 5 Code of Federal Regulations, Part 630.
- b. Federal Personnel Manual Supplement 990-2, Book 630.

1-3. Cancellation

- a. OIG Policies and Procedures Manual, Chapter 35, "Leave," April 30, 1987.
- b. OIG Memorandum, Voluntary Leave Transfer Program, October 30, 1989.

1-4. Applicability and Scope

- a. This instruction applies to the Office of the Inspector General, Assistant Inspectors General and the Director IG Regional Office-Europe, hereafter referred to collectively as OIG Components.
- b. Governs all full-time and part-time civilian employees, except those excluded by statute.

1-5. Definitions. See Appendix A.

1-6. Policy

- a. Leave shall be administered uniformly and equitably within the scope of applicable laws and regulations.
- b. Employees shall be given the opportunity to take full advantage of all entitled leave.
- c. Jury duty is considered a civic responsibility, and release from jury duty shall be requested for an employee only in exceptional situations in which the public interest would be better served by his/her staying on the job.
- d. Management shall be responsive to employee requests for leave to meet parental and family responsibilities.
- e. The authority to approve absences and leave will be vested in the lowest practicable supervisory level.

1-7. Responsibilities

- a. The **Inspector General, the Deputy Inspector General, the Assistant Inspectors General and the Director, Regional Office-Europe**, shall:
 - (1) Ensure leave is administered in accordance with applicable regulations.
 - (2) Ensure supervisors and employees fulfill their responsibilities as stated herein.

(3) Establish appropriate internal administrative procedures for requesting and receiving approval of leave and specifying the supervisory prerogatives in approving or denying leave.

(4) Establish internal leave policies within the framework of this instruction.

(5) Ensure employees are permitted to use all current accrued annual leave that would be forfeited at the end of the leave year.

b. The **Supervisors** shall:

(1) Maintain a sound working knowledge of: policies, regulations and procedures governing absence and leave.

(2) Apply the provisions of this instruction in a fair and equitable manner.

(3) Approve or disapprove employee requests for leave.

(4) Inform employees of internal procedures for requesting, granting and documenting leave.

(5) Make employees aware of the provisions of this instruction so that they may fulfill their responsibilities.

(6) Establish leave schedules early in the leave year to ensure that all employees are given an opportunity to take full advantage of all earned leave.

(7) Review leave usage periodically and assure that use of leave is consistent with the letter and spirit of governing regulations and policies.

c. The **Employees** shall:

(1) Request annual leave in advance and for times to prevent interference with peak work load periods, to prevent large accumulations of leave at the end of the leave year, and to allow for equitable distribution of preferred leave periods.

(2) Formally request annual leave early in the leave year, but no later than the third biweekly pay period before the end of the leave year, particularly if a leave accumulation in excess of the maximum carryover is projected.

(3) When emergency situations arise, cooperate with management in rescheduling leave.

(4) Report illness or emergency absence to the immediate supervisor expediently, within 2 hours after the beginning of the workday.

(5) Request approval of leave in advance for prearranged medical, dental or optical examinations or treatments.

(6) Promptly submit a Standard Form 71, Application for Leave, for absences and furnish documentation to support absences, as required.

(7) Use leave in the manner and for the purposes designated herein.

d. The **Director, Personnel and Security**, shall:

(1) Provide advice and assistance to supervisors and employees on the application of leave and related matters.

(2) Review leave usage on request and assist management officials on planning and initiating action to correct deficiencies.

e. Specific responsibilities for the Voluntary Leave Transfer Program are in paragraph 4-2.

1-8. Absence of Disabled Veterans. A disabled veteran must be granted sick leave, annual leave, or leave without pay (LWOP), as appropriate, for medical treatment when he/she presents an official statement from medical authority that medical treatment is required. The veteran must give prior notice of the definite days and hours of absence required for treatment, except in the event of an emergency when he/she will report the reason for the absence within the first 2 hours of the workday.

1-9. Absence without Leave. An employee absent from duty during the regularly scheduled basic tour of duty (not overtime), when leave was not authorized or approved, may be charged as absent without leave (AWOL). Pay is withheld if it is determined that there was an improper absence from duty, and disciplinary action may be taken. If it is later determined that the AWOL charge was not proper, the time should be changed to duty time or to annual or sick leave, or LWOP, as appropriate. The AWOL charges will be charged in multiples of 15 minutes. See paragraph 9-6 on tardiness.

CHAPTER 2 ANNUAL AND SICK LEAVB--GENERAL

2-1. Accrual of Leave

- a. To earn leave, an employee must be employed during a full biweekly pay period. The employee must be on the rolls on all days falling within the pay period exclusive of holidays and non-workdays.
- b. Leave accruing to an employee is credited at the end of the pay period in which it is earned.
- c. Part-time employees with an established tour of duty are entitled to accrue leave on a pro rata basis. Also, if employment is continuous, but an employee's service is interrupted by a non leave-earning period, leave will be credited on a pro rata basis for the fraction of the pay period during which he/she was in a leave earning status. See Table 2-1.

2-2. Leave Charges and Substitutions

- a. Both annual and sick leave may be charged for absence during scheduled non overtime duty hours. Annual and sick leave are not charged for absences on holidays and non workdays.
- b. Annual and sick leave are charged in multiples of 1/2 an hour. It is within the discretion of the supervisor to accumulate absences within a day for charging leave. Absences of partial hours on separate days may not be combined.
- c. An employee cannot be required to work during a period for which leave is charged.
- d. Part-time employees are charged leave for the number of hours for which they are scheduled to perform service on the day of absence.
- e. Annual leave may be substituted for sick leave that has been applied for and granted. Annual leave may be substituted retroactively for advanced sick leave, but not to prevent forfeiture of annual leave. The substitution must be made before the annual leave would have been forfeited.
- f. Sick leave accrued after a period of absence may not be retroactively substituted for the absence.
- g. When an employee is carried on annual leave or in a non-pay status pending return to duty and determination of appropriate leave to be charged, the period of absence may be converted to sick leave provided the absence is substantiated.

2-3. Refund for Advanced Leave. If an employee separates prior to liquidation of advanced leave (sick or annual), the civilian payroll office will obtain a refund from the employee except when separation is due to death, disability retirement, or entrance into military service with reemployment rights. The refund normally will be obtained from the employee's final paycheck and/or from the lump sum annual leave payment. If those collection efforts are unsuccessful, a setoff against the employee's retirement account will be requested. If an employee resigns or is separated because of disability and is prevented from returning to duty, a refund of advanced leave may be waived on presentation of acceptable medical evidence to the Director, Personnel and Security Directorate.

2-4. Transfer of Leave Between Payroll Offices

- a. Annual and sick leave data are transferred from the releasing payroll office to the gaining payroll office. When an employee must use leave soon after transfer and prior to receipt of leave records,

a copy of the employee's last earnings and leave statement should be provided to the gaining payroll office at least 1 pay period in advance of the pay period in which the leave is to be used. A request to advance leave by the gaining employing activity should accompany the earnings and *leave* statement, and will serve as the basis for establishing a temporary leave balance pending receipt of official leave records.

b. Fractional hours of leave not transferable are forfeited; however, an employee may be permitted to take the annual leave necessary to even off his/her annual leave balance prior to his/her move.

2-5. Disposition of Leave on Separation

a. Lump sum payment will be made for unused annual leave when an employee separates from the Federal service for one or more workdays through the last full pay period before separation. In most circumstances, if the employee would be reemployed in the Federal service before expiration of the period of time represented by the lump sum payment, repayment of the money received for the balance of the unused leave will be required, and the unused leave will be reccredited to the employee's account.

b. No lump sum payment is made for accumulated sick leave on separation from Federal service. However, sick leave will be credited to the employee's account if the employee returns to the Federal service within three years *of* the discharge date.

c. Accumulated sick leave on retirement or death is added to the total creditable service when computing the annuity of an employee under the Civil Service Retirement System.

2-6. Procedures for Applying for Leave. Supervisors will determine the procedures for requesting leave. Leave will be requested and approved in advance except in emergencies. Failure to obtain prior approval for an absence or failure to follow proper procedures in requesting leave may result in a charge of AWOL and/or disciplinary charges for failure to follow procedures.

2-7. Handling Leave Problems. When every reasonable effort to effect compliance with leave requirements is made without success, more positive action may be required, such as:

a. Reasonable changes in official duty hours for an individual employee can be made on a temporary basis, if compatible with office requirements, in cases where transportation problems to and from work make it extremely difficult for the employee to adhere to established duty hours."

b. In the case of habitual "emergency" annual or sick leave, the employee should be counseled and advised in writing that future absences not approved in advance will require a medical certificate for sick leave or will be charged to AWOL.

c. Those employees having a persistent tardiness problem should be advised in writing that future tardiness will, at the supervisor's option, be charged to annual leave (in increments of 1/2 hours); and that should tardiness continue, charges will be made to AWOL (in increments of 15 minutes) and these charges may form the basis for disciplinary action.

d. The Employee Relations staff may be contacted for assistance with leave problems.

Table 2-1

Annual Leave (AL) Accrual Rate			
Tour of Duty	Years of Creditable Service		
Full-time employees (basic 40-hour work week)	Less than 3 accrues	3 but less than 15 accrues	15 or more accrues
	4 hours AL each bi-weekly pay period	6 hours AL each bi-weekly pay period, except the last pay period earns 10 hours	8 hours each bi-weekly pay period
Part-time employees with regularly scheduled tour of duty	1 hour AL for each 20 hours in pay status*	1 hour AL for each 13 hours in pay status*	1 hour AL for each 10 hours in pay status*
*Service performed that is not divisible by the leave accrual (20, 13, or 10 hours) will be carried forward to succeeding pay periods.			

CHAPTER3 ANNUAL LEAVE

3-1. Coverage and Exclusion

- a. Full and part-time employees on prescheduled tours of duty earn annual leave if appointed for 90 days consecutively or longer, or if employed for 90 days or longer under successive appointments of shorter periods without a break in service.
- b. Intermittent employees do not earn annual leave.

3-2. Accrual

- a. Full-time and part-time employees whose appointments are for 90 days or longer earn and are credited with annual leave beginning with the first day of duty after appointment. An employee initially appointed for less than 90 days, who serves on successive appointments that total 90 days or more, without a break in service, will be entitled to full leave accrual for the 90 days on the 91st day of service. An employee initially appointed for less than 90 days, and whose current appointment is for 90 days or more, begins annual leave accrual with the current appointment. If there is no break in service between the appointments, the employee will be credited with the leave that would have accrued from the initial appointment.
- b. The rate at which an employee accrues leave is based on his/her years of creditable service (see paragraph 3-3 below) and the tour of duty to which assigned. Changes in accrual rates are effective at the beginning of the first pay period following completion of the prescribed period of creditable service. Table 2-1 provides information on annual leave accrual rates.

3-3. Creditable Service. The amount of annual leave that an employee earns is based in part on previous creditable civilian and military service.

a. **Civilian Service**

- (1) Credit is given for Federal civil service in the executive, judicial and legislative branches of the Federal Government.
- (2) Credit is given for all regular duty time and leave with pay, and time on the rolls in a non-pay status (e.g., LWOP, suspension, furlough and AWOL) that do not exceed six months in the aggregate in any calendar year. Exceptions are made for the following situations where employees are given full credit for LWOP time.
 - (a) Employees serving with the Armed Forces during a period of war or national emergency shall be considered to be on military furlough if they serve no more than 5 years at the request of the Government, and if they request restoration within specified time limits after release.
 - (b) Employees on workers' compensation who are carried on the rolls in an LWOP status.
- (3) Intermittent employees are given credit only for the actual days in a pay status.
- (4) Part-time employees on a prescheduled, regular tour of duty are given full credit for all time between date of appointment and date of separation.

b. **Military Service**

(1) Except as indicated below, all active duty military service terminated by honorable discharge or by transfer to inactive Reserve under honorable conditions is creditable.

(2) Periods of lost time (e.g., AWOL) are not credited.

(3) A reservist ordered to active duty for training normally receives credit for the duty period. No credit is given for scheduled weekly or monthly assemblies or drills.

(4) Retired members of the uniformed services are to receive credit for active service in the Armed Forces during wartime, or in any campaign or expedition for which a campaign badge has been authorized, with the exception of the following who receive credit for all their service:

(a) Employees whose retirement was based on disability resulting from injury or disease received in the line of duty as a direct result of an armed conflict, or caused by an instrumentality of war and incurred in the line of duty during a period of war.

(b) Employees who were employed in November 1964 in a civilian office to which the annual and sick leave law applied and who have continued to be employed without a break in service of more than 30 days.

3-4. Maximum Accumulation. The maximum accumulation of annual leave that may be carried into a new leave year is 30 days, with the following exceptions:

a. There is no limitation on the maximum accumulation of annual leave accrued by an individual serving in a position in the Senior Executive Service.

b. An employee assigned on permanent change of station overseas may accumulate 45 days. That leave ceiling may be retained after assignment to a position with a 30-day accumulation limit until the employee uses more annual leave in a year than he/she earns. The balance carried forward at the end of the leave year becomes the new leave ceiling.

c. In addition to the authorized maximum accumulation, restored annual leave may be carried over in the new leave year under conditions covered in paragraph 3-5.

3-5. Restoration of Annual Leave

a. Annual leave that otherwise would be forfeited at the end of the leave year may be restored to an employee if he or she is unable to use the leave because of administrative error, exigency of the public business, or sickness.

(1) Annual leave that has been earned after June 30, 1960, and forfeited at the end of the leave year through administrative error may be restored to the employee to be used as indicated in paragraph e., below. An employee must initiate a written request for restoration of leave forfeited through administrative error and submit appropriate support information and documentation to the civilian pay office.

(2) Annual leave that had been scheduled for use before the end of the leave year, but which must be canceled because of exigency of the public business, may be restored for use as indicated in paragraph e., below. Request for restoration will be submitted in writing in accordance with paragraph b., below.

(3) Except in cases of prolonged illness, annual leave forfeited because of sickness must have been scheduled in writing in advance. The annual leave may be restored for later use if the advance scheduling requirement was met and the annual leave cannot be rescheduled for use before the end of the

leave year. The employee must submit a written request for restoration of the leave as indicated in paragraph b., below.

(4) Documentation for restoration of forfeited annual leave must show that the decision to schedule leave for use was made in writing before the start of the third pay period before the end of the leave year.

b. Application for restoration of forfeited annual leave because of exigency of public business or because of sickness must be submitted by the employee through channels to the Chief, Employee Relations Division, Personnel and Security Directorate, for regulatory review. The following documents will be included:

(1) Copies of the approved Standard Forms (SF) 71, Application for Leave, showing the date(s) during which the leave was scheduled for use (i.e., approved by the official having authority to approve leave) and the amount of leave (days/hours) that was scheduled for use. Documentation will also include the reason(s) for subsequent cancellation of the approved leave, the calendar date(s) the canceled leave was rescheduled for use, if appropriate, and the amount of leave (days/hours) that was rescheduled for use.

(2) For exigency of public business, a statement must be prepared by the designated agency official authorized to approve exigencies. The statement will specify the beginning and ending dates of the exigency period. The statement must also specify that the exigency determination is of such importance that the employee could not be excused from duty to use the leave and thus preclude the forfeiture or portions of the forfeiture. Also, the statement will stipulate that there is no reasonable alternative to the cancellation of the scheduled leave, such as postponing the work or assignment of the work to another employee. The statement should be completed before the exigency period unless the suddenness or uncertainty of the circumstances prevents advance decision.

c. The authority to approve exigencies of public business is delegated to OIG Component Heads. The authority may not be redelegated.

d. No official mentioned in paragraph c., above, may approve exigencies that affect employees for whom he or she is also the leave-approving official.

e. Restored annual leave will be maintained in a separate leave account and will be used no later than the end of the leave year ending 2 years after the following dates, under circumstances stating:

(1) The date of restoration of the annual leave forfeited because of administrative error.

(2) The date fixed by the OIG Component Head as the termination date of the exigency of public business that resulted in the forfeiture of annual leave.

(3) The date the employee is determined to be recovered from the sickness that caused the forfeiture of leave and is able to return to duty. Any restored leave unused at the expiration of the 2-year limit is again forfeited with no further right to restoration.

3-6. Granting Annual Leave

a. Although the use of annual leave is a right of the employee, the determination of when the leave is to be used is a supervisory decision. Except in an emergency, the use of annual leave is subject to prior approval. It cannot be assumed that the mere reporting of an absence or transmitting a request for leave through another person to the approving supervisor satisfies the requirement for obtaining prior approval of an absence as annual leave. Failure to secure properly prior approval of an absence as annual leave may warrant a charge of AWOL and other charges. (See paragraph b., below.).

b. Emergency situations occur that may warrant exception to the requirement for advance supervisory approval of annual leave. The supervisor, however, may decide not to approve an otherwise acceptable request for emergency leave when the request is received more than 2 hours after the start of the workday, unless circumstances clearly show that a delay in requesting leave was unavoidable.

c. When employees can be spared from their duties, annual leave will be granted freely for personal or emergency purposes. Large accumulations of annual leave should be avoided. Normally, employees will not be denied the use of annual leave when they may otherwise be required to forfeit such leave by reason of maximum accumulation or forfeiture rules. Denial of its use will be based on factors that are reasonable and equitable and that do not discriminate against any employee or group of employee.

d. Supervisors should establish written schedules for planned leave early in the leave year. The leave schedules should be reviewed and modified according to work requirements. To the maximum extent possible, leave schedules should reflect the personal desires of employees on the timing and amount of annual leave to be used. Depending on work requirements, supervisors will plan to allow each employee an extended period of leave for rest and relaxation annually to assist in maintaining maximum efficiency and productivity.

3-7. Advancing Annual Leave. Supervisors may approve requests for an advance of annual leave not to exceed the amount the employee can reasonably be expected to earn during the balance of the leave year. For employees serving under temporary appointments or those whose retirement is planned, advanced leave may not exceed the amount that can be repaid by accrual before separation. The request for and approval of advance leave must be in writing and a copy will be forwarded to the civilian payroll office.

3-8. Lump Sum Payment

a. On separation, resignation, transfer or move to a position not under a leave system for which annual leave may be transferred, accumulated and accrued annual leave will be paid in a lump sum. Lump sum payment may also include restored annual leave provided the date of separation is within the time limit established in paragraph 3-5.e.

b. If, after separation but prior to the time the lump sum payment is made, a former employee is reappointed to a position in the Federal service subject to a formal leave system, the lump sum payment will be limited to the time the employee was out of the service.

3-9. Compensatory and Credit Hours Time Off. Use of compensatory and credit hours is subject to the same administrative approval as annual leave.

CHAPTER 4 VOLUNTARY LEAVE TRANSFER PROGRAM

4-1. Introduction

- a. The Voluntary Leave Transfer Program became effective with enactment of Public Law 100-566, October 31, 1988.
- b. The program implements the requirements for transferring unused, accrued annual leave of a civilian employee for use by another civilian employee who needs such leave because of a medical emergency. A medical emergency is a medical condition of an employee or a family member of such duration that it is likely to require the employee's absence from duty for a prolonged period of time, and result in a substantial loss of income to the employee because of the unavailability of paid leave.
- c. An employee may apply to be a leave recipient before, during or after a medical emergency.
- d. The program will be publicized in communications such as memorandums and newsletters throughout the DIG, DoD, and by the Personnel and Security Directorate. Information may also be publicized about an approved leave recipient's medical emergency, with that employee's permission, to make other employees aware of the applicant's need for annual leave donations.

4-2. Responsibilities

- a. The **Assistant Inspectors General and the Director, Regional Office-Europe**, shall:
 - (1) Serve as leave recipient approving official.
 - (2) Ensure that determinations on leave recipient applications are made, and that potential leave recipients or personal representatives are notified of the determinations within 10 days of receipt of applications (excluding Saturdays, Sundays, and legal public holidays).
 - (3) Transmit determinations on leave recipient applications to the Chief, Employee Relations Division, Personnel and Security Directorate, for review and processing.
 - (4) Ensure that the medical emergency affecting the leave recipient is monitored and that action is taken to terminate the use of transferred leave when the medical emergency terminates.
 - (5) Ensure leave records and backup documents are properly maintained.
- b. The **Supervisors Authorized to Approve Annual Leave** shall:
 - (1) Receive and review leave recipient applications from potential leave recipients.
 - (2) Transmit leave recipient applications to the OIG Component Head within 4 calendar days of receipt. One complete copy will be maintained in the employee's leave file.
 - (3) Ensure that leave records, to include time and attendance records and backup documents, are properly maintained and properly submitted.
 - (4) Ensure time and attendance reports are properly authenticated to reflect donated leave. (See paragraph 4-6.)
 - (5) Ensure that a copy of the Time and Attendance Form of the leave recipient is forwarded to the Employee Relations Division each pay period that the employee is a leave recipient.

(6) Notify the OIG Component Head and the Chief, Employee Relations Division, Personnel and Security Directorate, when the medical emergency of the leave recipient has terminated and forward the appropriate documentation. (See paragraph 4-8.)

c. The **Personnel and Security Directorate** shall:

- (1) Ensure the program is publicized to OIG Components. (See paragraph 4-1.c.)
- (2) Advise employees on the leave recipient application and donor authorization process.
- (3) Ensure leave recipient applications and donor authorizations are reviewed for regulatory compliance and forwarded to the civilian payroll office within 5 workdays of receipt.
- (4) Report to the Office of Personnel Management as required.

d. The **Employee Applicants or Personal Representatives** shall:

- (1) Complete applications and supporting documents as prescribed in paragraph 4-3.
- (2) As appropriate, ensure medical documentation supporting the medical emergency is provided with the application, and thereafter as requested.
- (3) Immediately notify the supervisor when it is known that the medical emergency will terminate.

4-3. Application to be a Leave Recipient (SEE CHANGE #4, January 21, 2003)

a. Application to become a leave recipient (IG Form 630-1, Leave Recipient Application) must be in writing and prepared by the employee affected by the medical emergency. (A blank copy of IG Form 630-1 can be found at the end of this instruction. It may be reproduced.) If the employee is not capable of making application, a designated personal representative of the potential leave recipient may make application on his/her behalf. The designation of a personal representative must be in writing, signed by the leave applicant or member of the immediate family. The application and supporting documents must be submitted through the concerned employee's supervisor to the appropriate OIG Component Head. The application must contain the following:

- (1) The name, position title, series, grade and step, salary and specific employing organization of the potential leave recipient (e.g., Employee Relations Division, Personnel and Security Directorate, OAIG-A&IM).
- (2) Social Security Number.
- (3) Leave balance as of the date of the application (includes annual and sick leave, credit and compensatory hours).
- (4) Expected date on which available paid leave appropriate to the emergency will expire.
- (5) Accrual rate of annual leave.
- (6) The reason(s) transferred leave is needed, including a brief description of the nature, severity and anticipated duration of the medical emergency. If it is a recurring condition, the approximate frequency with which it affects the potential leave recipient must be stated. If the request is submitted for the purpose of liquidating a negative leave balance (because the employee was granted advanced leave),

the applicant should so state. Note: In this case, the application must be submitted within 30 days of the expiration of the medical emergency.

(7) As appropriate, certification from a physician or other appropriate expert(s) with respect to the medical emergency, and any additional information that may be required by the leave recipient approving official to adjudicate the application.

(8) Whether the individual affected by the medical emergency is the employee or the employee's family member.

(9) A Privacy Act statement and a statement acknowledging and approving the public release of the existence of an emergency. The applicant's name will be released in management's efforts to collect donated leave, unless he/she submits a request, in writing, that his/her name not be released.

(10) Telephone number and current address during the period of the medical emergency.

(11) Name and telephone number of the person to contact on behalf of the applicant, if applicable.

b. The completed IG Form 630-1 will be forwarded to the immediate supervisor for recommendation to the OIG Component Head for approval/disapproval and verification of the employment data.

c. Although application to become a leave recipient does not require information on potential leave donor(s), it is recommended that the information be provided with the application if available. (See paragraph 4-5.a.) An approved leave transfer application cannot be referred to the civilian payroll office until the leave donor authorization(s) has/have been received and validated.

4-4. Approval of the Application for Leave Transfer (SEE CHANGE #4, January 21, 2003)

a. On receipt of an application to become a recipient of transferred annual leave, the immediate supervisor shall:

(1) Verify the employment information contained in the application.

(2) Determine that the potential leave recipient is or has been affected by a "medical emergency," (or is projected to be affected).

(3) Ensure that, in the case of the employee applying for leave donations in order to liquidate a negative leave balance or LWOP, the application is made within 30 days of the expiration of the medical emergency.

(a) A medical emergency is defined as a medical condition of the employee or a family member of such employee that is involuntary and beyond the control of the leave recipient and is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave that is appropriate to the medical emergency. Maternity situations without unusual medical complications are not considered a medical emergency.

(b) In making a determination as to whether a "medical emergency" is likely to result in a substantial loss of income, a supervisor shall not consider factors other than those stated in (4), below.

(4) Determine that the absence from duty without paid leave available for the purpose involved is, or is expected to be, at least 80 hours, or in the case of a part-time employee or an employee with an uncommon tour of duty, the average number of hours of work in the employee's biweekly scheduled tour of duty.

(5) Return the request to the applicant if correction or additional information is required.

(6) Recommend approval or disapproval of the request and forward the request to the appropriate OIG Component Head within 4 workdays of receipt of a complete and fully documented application.

b. OIG Component Heads are authorized to approve/ disapprove applications of potential leave recipients. Applications will be reviewed, approved/disapproved, and the potential leave recipient (or personal representative who made application on behalf of the potential leave recipient) notified within 10 days (excluding Saturdays, Sundays, and legal public holidays) of receipt of the application (or the date of approval of these procedures, whichever date is later).

(1) Disapproved applications shall be returned through the immediate supervisor to the requester noting the reasons for disapproval. A copy will also be forwarded to the Chief, Employee Relations Division, Personnel and Security Directorate.

(2) Approved applications will be forwarded to the Chief, Employee Relations Division, Personnel and Security Directorate. A copy will also be returned through the immediate supervisor to the requester.

c. The Chief, Employee Relations Division, Personnel and Security Directorate, will:

(1) Publicize the approved request to be a leave recipient to employees of the OIG, DoD, usually within 5 workdays of receipt of the approved application from the OIG Component Head to give employees the opportunity to donate annual leave to the approved applicant. Publicity will include the name of the leave recipient, as well as the facts of the medical emergency.

(2) Provide the leave recipient's supervisor with information concerning the amount of annual leave donated to the leave recipient.

(3) Forward donated annual leave to the servicing payroll office.

4-5. Transfer of Annual Leave

a. An employee may submit a voluntary, irrevocable written authorization (IG Form 630-2, Leave Donor Application) to donate annual leave. The request should accompany the potential leave recipient's application, but may be submitted separately through the supervisor to the OIG Component Head to the Chief, Employee Relations Division, Personnel and Security Directorate. The authorization to donate annual leave must identify the potential leave recipient and the specific number of whole hours of accrued annual leave to be donated. A copy of the employee's current leave and earnings statement must be attached to the IG Form 630-2. (A blank copy of IG Form 630-2 can be found at the end of this instruction. It may be reproduced.)

b. The following limitations and controls apply to leave transfers:

(1) Annual leave may not be transferred to an employee's immediate supervisor.

(2) Annual leave transferred may be substituted retroactively for periods of leave without pay, or used to liquidate an indebtedness for advanced annual or sick leave previously approved for the period of the medical emergency.

(3) Annual leave may only be transferred from an OIG, DoD, leave donor to an OIG, DoD, leave recipient except when:

(a) a family member of a leave recipient is employed by another agency and requests the transfer of annual leave to the leave recipient, or,

(b) in the judgment of the OIG Component Head, the amount of annual leave transferred from leave donors employed by the OIG, DoD, may not be sufficient to meet the needs of the leave recipient, and/or the transfer of leave from another agency would further the purpose of the voluntary leave transfer program.

(4) A leave donor may not donate more than one-half of the amount of annual leave he/she will accrue during a leave year in which the donation is made. However, in the case of a leave donor who is projected to have annual leave that otherwise would be subject to forfeiture at the end of the leave year, the maximum amount of annual leave that may be donated during the leave year will be the lesser of (a) or (b), below. (Exceptions under unusual circumstances are found in (5), below.)

(a) one-half the amount of annual leave he/she will accrue during the leave year in which the donation is made, or,

(b) the number of hours remaining in the leave year which includes carryover from the previous year (as of the leave transfer date) for which the leave donor is scheduled to work and receive pay.

(5) The OIG Component Head may waive the limitations in (4)(a) and (b), above, for leave donations between family members in the OIG, DoD, and in other unusual circumstances such as those discussed in (a) and (b), below. The waiver must be in writing. It must document the unusual circumstances warranting approval of the waiver, and the amount of leave approved by the waiver. A copy of the waiver will be attached to the IG Form 630-2.

(a) The medical emergency has occurred late in the leave year. In spite of the diligence in developing and processing the application and donor authorization(s), there will be insufficient donated leave to meet the medical emergency needs of the leave recipient by application of the limitations discussed in (4)(a) and (b), above.

(b) The medical emergency and leave donation(s) have been approved. Subsequent to the approvals, and at the point late in the leave year, the nature of the medical emergency becomes more serious and additional documentation is submitted with a need for additional leave. The limitations in (4)(a) and (b), above, will not permit the transfer of sufficient leave to meet the needs of the leave recipient with the medical emergency in such an instance.

(6) Annual leave earned and used on the basis of an uncommon tour of duty must be converted to a standard tour of duty or vice versa prior to use.

(7) To transfer donated annual leave to a non-OIG, DoD, leave recipient, the following will be accomplished:

(a) Verify that the leave recipient is an approved recipient and that his/her agency is accepting interagency leave transfers.

(b) Verify the availability of annual leave in the leave donor's annual leave account to assure that donated leave does not conflict with the limitations in paragraphs b. (1) through (6), above.

(c) Reduce the amount of annual leave credited to the leave donor's annual leave account as appropriate by transmitting appropriate documentation to the civilian payroll office.

(d) Notify the leave recipient's employing agency of annual leave to be credited to the leave recipient's annual leave account and send the completed Interagency Leave Transfer Form to the Agency.

4-6. Use of Transferred Annual Leave

a. Transferred annual leave may be:

(1) Used for the duration of the medical emergency, and used for the same purposes as if it were accrued by the leave recipient.

(2) Substituted retroactively to the beginning of the medical emergency.

b. Transferred annual leave may not be:

(1) Transferred to another leave recipient except as discussed in paragraph 4-10.

(2) Included in lump sum payment of leave.

(3) Made available for recredit to a leave recipient upon reemployment by a Federal agency.

4-7. Accrual of Annual and Sick Leave

a. The maximum amount of annual and sick leave that may be accrued by a leave recipient, while in receipt of donated leave, may not exceed 40 hours in each account (sick and annual leave) for use after the medical emergency. (In the case of a part-time employee or an employee with an uncommon tour of duty, the average number of hours of work in the employee's weekly scheduled tour of duty is the maximum amount allowed.)

b. Accrued annual and sick leave by the leave recipient:

(1) Will be credited to the accounts of the leave recipient separate from donated annual leave.

(2) Will not become available for use by the leave recipient until the beginning of the first applicable pay period after the date on which the medical emergency terminates. (See paragraph 4-8.)

(3) Will not be credited to the leave account of a leave recipient if the medical emergency terminates when the leave recipient terminates Federal employment.

4-8. Termination of the Medical Emergency

a. The medical emergency affecting the leave recipient will terminate:

(1) When the leave recipient's Federal Service is terminated. It does not terminate when the leave recipient moves to another OIG Component or to another Federal agency except when the leave recipient transfers to a Federal agency operating a voluntary leave bank program.

(2) At the end of the biweekly pay period in which the OPM notice approving a disability retirement of the leave recipient is received by the Personnel and Security Directorate.

(3) At the end of the biweekly pay period in which written notice is received from the leave recipient or personal representative that the leave recipient is no longer affected by a medical emergency.

(4) At the end of the biweekly pay period in which the OIG Component Bead determines, after written notice and opportunity for the leave recipient (or, if appropriate, a personal representative) to answer orally or in writing that the leave recipient is no longer affected by the medical emergency.

b. The leave recipient's immediate supervisor will monitor the nature and extent of the medical emergency each pay period. Each OIG Component will develop and maintain internal procedures to ensure supervisory biweekly review of the medical emergency.

c. When it is determined that the medical emergency has terminated, the leave recipient's immediate supervisor will provide written notice to the Chief, Employee Relations Division, Personnel and Security Directorate, as follows:

- (1) Name and OIG Component of the leave recipient.
- (2) Social Security Number (SSN) of the leave recipient.
- (3) Date transferred leave began.
- (4) Number of hours of leave transferred.
- (5) Number of hours of transferred leave used.
- (6) Date of termination of medical emergency

d. When the medical emergency terminates, no further request for transfer of annual leave may be approved, and any unused transferred annual leave remaining to the credit of the leave recipient shall be restored to- the leave donors in accordance with paragraph 4-10.

4-9. Leave Transfer Processing Between the Personnel and Security Directorate and the Civilian Payroll Office

a. If the same civilian payroll office services both the donor and the recipient, it will handle both the subtraction of the donated leave from the annual leave balance of the donor and the maintenance of the medical emergency leave account of the recipient.

b. If different civilian payroll offices serve the donor and the recipient, the Request to Donate Annual Leave to Leave Recipient form will be forwarded by the Personnel and Security Directorate to the civilian payroll office serving the donor. However, before forwarding, the Personnel and Security Directorate will annotate the form to show which civilian payroll office supports the leave recipient. When the donated leave is subtracted from the donor's annual leave balance, the authorization form will be forwarded to the civilian payroll office serving the leave recipient for crediting to the recipient's medical emergency leave account.

4-10. Restoration of Transferred Annual Leave

a. Transferred annual leave remaining to the credit of a leave recipient will be restored to the leave donor(s) currently employed by a Federal agency on termination of the medical emergency, in accordance with OPM Regulations in 5 CFR 630.911. On receipt of the notice from the Personnel and

Security Directorate indicating the termination of the leave recipient's medical emergency, the servicing payroll office will compute and restore (to the extent administratively feasible) transferred annual leave to the annual leave accounts of leave donors who are currently employed by a Federal agency and subject to Chapter 63 of Title 5 D.S.C. on the date leave restoration is made.

b. The amount of unused transferred annual leave to be restored to each leave donor shall be determined as follows:

(1) Divide the number of hours of unused transferred leave by the total number of hours of annual leave transferred to the leave recipient.

(2) Multiply the ratio obtained by the number of hours of annual leave transferred by each leave donor eligible to receive restoration of unused transferred annual leave.

(3) Round down the result to the nearest increment of the whole hours of annual leave.

c. If the total number of eligible leave donors exceeds the total number of hours of annual leave to be restored, no unused transferred annual leave shall be restored. In no case shall the amount of annual leave restored to the leave donor exceed the amount transferred to the leave recipient by the leave donor.

d. At the election of the leave donor, unused transferred leave restored to the leave donor may be restored by:

(1) crediting the restored annual leave to the leave donor's annual leave account in the current year:

(2) crediting the restored annual leave to the leave donor's annual leave account as of the first day of the first leave year beginning after the date of election; or

(3) donating such leave in whole or part to another approved leave recipient. If only a part of the restored leave is donated to another recipient, the donor may elect to have the remaining leave credited to the leave donor's annual leave account under paragraph 4-10.d.(1) or (2), above.

e. Transferred annual leave restored to the account of a leave donor shall be subject to the limitation imposed by 5 U.S.C. 6304 (a) at the end of the leave year in which the restored leave is credited to the leave donor's annual leave account.

4-11. Termination of the Program

a. The authority for the program terminates October 31, 1993, unless otherwise extended by law or regulation.

b. If the program ends before the termination of the medical emergency affecting the leave recipient, annual leave transferred to the leave recipient will remain available for use by the leave recipient until termination of the medical emergency.

4-12. Termination of the Program. An employee will not be directly or indirectly intimidated, threatened or coerced by another employee for the purpose of interfering with any right an employee may have with respect to donating, receiving or using annual leave under these procedures.

4-13. Records and Reports. In accordance with OPM requirement for evaluation purposes, the following will be obtained and/or maintained, as appropriate, by the Personnel and Security Directorate:

a. The number of applications approved for medical emergencies affecting the employee.

- b. The total amount of annual leave transferred to each leave recipient's annual leave account.
- c. The total amount of transferred annual leave used by each recipient.
- d. The estimated direct and indirect costs of processing leave transfer requests, transferring leave between the accounts of leave donors and leave recipients, monitoring the use of transferred leave, restoring unused leave to the accounts of leave donors, and other activities related to administering the voluntary leave transfer program.
- e. The number of leave recipients who returned to work after the termination of the medical emergency.
- f. The number of leave recipients who retired on disability retirement under the Civil Service Retirement System or the Federal Employees' Retirement System within 6 months after the termination of the medical emergency.
- h. Any additional information OPM may require.

CHAPTER 5 SICK LEAVE

5-1. Coverage and Exclusion

- a. Full-time and part-time employees earn sick leave.
- b. Intermittent employees do not earn sick leave.

5-2. Accrual and Credits

- a. Full-time employees accrue 4 hours of sick leave each full biweekly pay period.
- b. Part-time employees earn 1 hour of sick leave for each 20 hours in a pay status. Credit may not exceed 4 hours of sick leave for 80 hours in a pay status during any full biweekly pay period.
- c. There is no limitation on the amount of sick leave that may be carried forward from one year to another. Any sick leave that is not used remains to the employee's credit and is available for use any time before his/her separation.
- d. Any sick leave to an employee's credit on separation shall be credited and made available for use if the employee is reemployed in the Federal service within a 3-year period following his/her separation.
- e. Sick leave becomes available for use at the end of the pay period in which it is earned.

5-3. Granting Sick Leave

- a. Sick leave is a qualified right of an employee if it is used for absences for the following reasons:

(1) When incapacitated for performance of duties by sickness, injury or pregnancy and confinement following pregnancy.

(2) For medical, dental or optical examination or treatment, including periodic physical examinations for retention of status in a Reserve component of the Armed Forces or in the National or State Guard.

(3) When a member of an employee's immediate family is afflicted with a contagious disease and requires the care and attendance of the employee, or when, through exposure to contagious disease, the presence at work of the employee would endanger the health of others. Contagious disease means a disease that is ruled as subject to quarantine, requires isolation of the patient, or requires restriction of movement by the patient for a specified period of time, as prescribed by the health authorities having jurisdiction.

(4) When an employee requires specialized treatment that is not available in the local area, a reasonable amount of sick leave may be granted to cover the travel time.

(5) When an employee is about to be separated for disability or disability retirement, or is absent because of a disabling condition pending optional retirement. In that case, there must be evidence and certification of the employee's incapacity for work.

b. Except in an emergency, sick leave for medical, dental or optical examinations will be requested and approved by the supervisor in advance of the employee's absence. When possible, employees should be encouraged to schedule such examinations outside normal duty hours.

c. An employee who is absent because of illness or for emergency examination will request leave from the supervisor as early as possible on the first day of the absence, and no later than 2 hours after the start of the workday. The employee will inform the supervisor of the reason for and expected duration of the absence. Unless there is reason to doubt that the absence may not be a proper charge to sick leave, the supervisor should approve the absence at the time of the request. The supervisor will inform the employee of any specific requirements for requesting leave for absences due to illness that will extend beyond one workday.

d. When sickness occurs within a period of annual leave, a supervisor may approve sick leave for the period of sickness.

e. When an employee who fails to request leave for an absence does not have sufficient accrued sick leave to cover the absence, or when the reason provided in the request does not warrant the approval of sick leave, the absence may result in charge of annual leave, LWOP or AWOL, as circumstances justify. When an employee has been charged AWOL for failure to properly request sick leave, and it is subsequently determined that the reason for the absence was properly due to illness or for emergency examination, the AWOL charge will be changed to sick leave if sufficient sick leave exists to cover the absence. Failure to properly request sick leave is a separate conduct infraction that may form the basis for disciplinary action for failure to follow prescribed procedures or instructions.

f. Normally, the employee's initials on the time and attendance report will be sufficient to support a charge to sick leave for an absence of 3 workdays or less. For absences of more than 3 workdays, sick leave may be supported by the employee's certification on the time and attendance form or by a medical certificate, whichever is required by the approving supervisor.

g. Normally, required evidence to support sick leave will be submitted by the employee on return to duty after sick leave. Unless extenuating circumstances can be substantiated, the time limit for submission of required evidence will not extend beyond one full pay period following the employee's return to duty. In cases of prolonged absence, the supervisor should require the employee to furnish supporting evidence at reasonable intervals.

h. When there is reason to believe that the sick leave privilege is being abused, medical certification may be required to justify each period of sick leave. Normally, the supervisor will advise the employee in writing in advance that a medical certificate will be required to support any future sick leave regardless of duration. In unusual circumstances, however, a supervisor may require medical documentation to support an absence without advance notice. Such documentation should be on the physician's letterhead, give the inclusive dates of illness and must state whether the employee was/is incapacitated for duty.

5-4. Advancing Sick Leave

a. Supervisors who normally approve/disapprove annual and sick leave requests are delegated authority to approve/disapprove requests for advanced sick leave up to 104 hours. All requests for advanced sick leave above that amount must be forwarded to the appropriate second level supervisor for approval.

b. Advances will be limited to deserving cases of serious disability or ailments. The employee's history of sick leave usage will be considered and the advance will be approved only when there is a reasonable assurance that the employee will return to duty to pay back the advance.

- c. All available accumulated sick leave to the employee's credit must be exhausted before advanced sick leave can be approved. Consideration should be given to requiring the employee to use any annual leave that might otherwise be forfeited before advancing sick leave.
- d. For employees serving under temporary appointments or under competitive appointment probationary or trial periods, advanced sick leave should not exceed the amount that is reasonably assured to be subsequently earned.
- e. The amount of sick leave advanced to an employee's account will not exceed 30 workdays (240 hours) at any time.
- f. If it is known or expected that an employee is to be separated or retired during the year, advanced leave will not exceed the amount that will accrue prior to the anticipated separation or retirement.
- g. Application for advanced sick leave will be submitted in writing by the employee and will be supported by a medical certificate signed by a physician or medical practitioner. The medical certificate must state the reason(s) for the absence, the expected date the employee will return to duty, and the prognosis for continued employment. Copies of the approved advanced sick leave request and approval will be forwarded to the time and attendance clerk for transmittal to the civilian payroll office.

5-5. On-the-Job Illness

- a. An employee who becomes ill during duty hours will notify the supervisor and, if emergency care is necessary, may report to the nearest Federal dispensary.
- b. If the absence for medical care is less than 1/2 an hour, no leave is charged. If the absence is 1/2 an hour or more, the total absence will be charged to sick leave in multiples of 1/2 hour.
- c. On the recommendation of an employee's physician, periods of rest may be authorized during duty hours. However, all periods of absence from duty for rest in dispensaries as distinguished from periods of absence for emergency medical care, will be charged to sick leave (if available), or to annual leave or LWOP.

CHAPTER 6 FUNERAL LEAVB

6-1. Request for Funeral Leave

a. An employee's request for funeral leave without charge to annual leave will be approved for up to 3 workdays to make arrangements for or to attend the funeral or memorial service for an immediate relative who dies as a result of wounds, disease, or injury incurred as a member of the Armed Forces while serving in a combat zone.

b. The 3 days need not be consecutive but, if not, the employee shall furnish satisfactory reasons justifying a grant of funeral leave for nonconsecutive days. Combat zones are determined by the President in accordance with Section 112 of the Internal Revenue Code.

6-2. Relations for Whom Funeral Leave is Approved. Immediate relative means the following relatives of the deceased member of the Armed Forces:

- a. Spouse and parents of spouse.
- b. Children, including adopted children, and their spouses.
- c. Parents.
- d. Brother and sister and their spouses.
- e. Any person related by blood or affinity whose close association with the deceased was such as to have been the equivalent of a family relationship.

CHAPTER 7 MILITARY LEAVE

7-1. Coverage, Exclusions, and Accruals

- a. Full-time employees serving on permanent, temporary indefinite or temporary appointments pending establishment of a register (TAPER), or term appointments who are members of the National Guard or Reserve components of the Armed Forces, and part-time career employees working a 16 to 32-hour regularly scheduled workweek are authorized leave of absence from their duties, without loss of pay, time or efficiency rating for active duty or training.
- b. Accrual and use of military leave will be on a fiscal year basis. A full-time employee accrues 15 calendar days each fiscal year. A part-time career employee accrues military leave on a pro rata basis. The accrual rate of a part-time career employee will be a percentage of the full-time accrual rate determined by dividing 40 into the number of hours in the regularly scheduled workweek of the employee and not on the number of hours he/she works. Any portion of the unused military leave accrued in a fiscal year may be carried over to the next fiscal year, not to exceed 15 days. That gives a full-time employee the potential for 30 days of military leave during a fiscal year.
- c. Members of Reserve units or the National Guard who are called to active duty to provide military aid to enforce the law are entitled to 22 workdays military leave in a calendar year.
- d. Eligible employees who are members of the National Guard of the District of Columbia are authorized military leave with pay for all days (no limit) of parade or encampment ordered under provisions of Section 49, Public Law 25 Statute 779, as amended by Section 53 of Public Law 35 Statute 634.
- e. Temporary employees (on appointments of 1 year or less) and intermittent employees are not entitled to military leave.

7-2. Military Leave v. Military Furlough. Military leave is an approved absence with pay for active duty or training with a Reserve component of the Armed Forces, i.e., the Army National Guard, the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air National Guard, the Air Force Reserve, and the Coast Guard Reserve. Military furlough is an approved absence due to extended active duty for general service with the Armed Forces.

7-3. Granting Military Leave

- a. Entitlement of leave. A reservist or National Guardsman must be granted leave for the period or periods required to perform active duty in the Armed Forces. The reservist or National Guardsman must be carried in whatever military leave status he/she is entitled. If military leave has been exhausted, or there is no entitlement, the employee must use annual leave or will be carried in an LWOP status; however, sick leave may be used if injury or illness extend active duty.
- b. Evidence to be submitted. The military orders calling the employee to active military duty is sufficient evidence for authorizing military leave. On return to civilian duty, the employee will submit to his/her supervisor a copy of official orders indicating completion of active military duty.
- c. Advance notice. The employee is responsible for requesting military leave from his/her supervisor as far in advance of entry on active duty as is possible.
- d. Computation. Military leave may be taken intermittently, a day at a time, or as otherwise directed by military orders. Military leave is computed on a calendar day basis. The non-workdays falling within a period of absence on military training duty are charged as military leave, but non-

workdays occurring at the beginning or end of the period are not charged as military leave. For example, an employee whose workweek is Monday through Friday receives orders for 2 weeks of training duty beginning and ending on a Saturday: Saturday and Sunday at the beginning of the tour and Saturday at the end are not charged to military leave; Saturday and Sunday within the tour are charged; and the employee's total charge to military leave is 12 days.

e. Injury or sickness extending active duty. If, because of sickness or injury, an employee's active duty orders are extended beyond the initial period covered by military leave, available sick leave, annual leave and/or LWOP may be granted concurrent with receipt of military pay and allowances. For periods when an employee is to report for civilian employment due to sickness or injury, medical documentation is required.

f. Pay status

(1) Generally, a pay status either immediately before beginning military duty or a return to a pay status immediately afterwards is a requisite for entitlement to military leave with pay.

(2) An employee on military leave on a regularly scheduled overtime day is entitled to overtime pay for that day.

(3) An employee on a tour of duty that permits night differential pay is entitled to night differential pay during the period of military leave.

7-4. Effect of Resignation

a. A reservist or National Guardsman who resigns from a civilian position and later enters on active military duty is not entitled to military leave for any portion of the period of military service.

b. A reservist or National Guardsman who resigns or is separated from a civilian position for active military duty will have the separation date extended to permit a grant of military leave to which he/she is entitled.

7-5. Return to Duty

a. On conclusion of military leave, the employee shall be restored to the position that was held when ordered to military duty.

b. An eligible employee may be granted military leave even though the possibility exists that the employee will not return to his/her civilian position at the expiration of military duty.

CHAPTER 8 COURT LEAVE

8-1. General

a. The OIG, DoD, considers it a civic responsibility of all employees to respond to calls for jury and other court services. Requests to excuse an employee from jury duty should be made only when the employee's services are required to meet essential work requirements, and when the public interest is better served by the employee remaining on duty.

b. Court leave is defined in Appendix A. A court leave guide at Table 8-1 provides the conditions for absences of employees for court or court-related services.

8-2. Evidence to be Submitted. Before absence on court leave, either-as a juror or witness, the employee will provide a copy of the court order, subpoena, summons or other official written request to the supervisor. On return to duty, written evidence of attendance at court will be presented to the supervisor showing the date(s) and hour(s) of the service. Generally, such statements may be obtained from the clerk of the court. The court order, subpoena or summons is not required as a permanent record and should be retained in the same manner as other leave records.

8-3. Jury Service

a. Eligibility

(1) Court leave for jury service may be granted to permanent and temporary employees, both full-time and part-time, but not to intermittent and WAE (when actually employed) employees.

(2) An employee on LWOP may not be granted court leave when called to jury service since court leave is available to employees who, except for jury service, would be on duty or on leave with pay.

b. Use of Annual Leave

(1) If an employee is on annual leave when called for jury service, court leave will be substituted except as discussed in a.(2), above. An employee on annual leave under advance notice of separation due to reduction in force, who is summoned as a juror, is entitled to have court leave substituted for annual leave. Substituted court leave will not extend beyond the date administratively fixed for separation.

(2) While intermittent employees may not be granted court leave as jurors, they may be granted annual leave or LWOP for that purpose.

c. Duration of jury service. An employee summoned by a state or Federal court to serve on a jury will be granted court leave with pay for the entire period, regardless of the number of hours per day or days per week of actual service. (See paragraph 8-5.)

8-4. Witnesses

a. Eligibility

(1) Court leave may be granted to full-time and part-time permanent and temporary employees during periods of absence while serving as nonofficial witnesses for a state or local government, or on behalf of a private party when a party is the U.S., D.C., state, or local government.

(2) Court leave may not be granted to an employee for time spent testifying in his/her own behalf when the employee is the plaintiff in a proceeding involving the U.S., D.C., state, or local government. Likewise, court leave may not be granted to an employee who is a party to a lawsuit against the Government for time the employee-plaintiff spends in preparation for the trial, including answering Government interrogatories and observing the conduct of the trial. Annual leave or LWOP is appropriate for such periods.

b. Witness in official duty status. The following is considered to be official duty status, as distinguished from a leave status, during the period of witness service.

(1) Witness in official capacity. An employee will be in an official duty status if summoned or assigned by the OIG, DoD, to testify in an official capacity or to produce official records at a judicial proceeding, whether on behalf of the Government or a private party. The employee is considered to be a witness in an official capacity when called in relation to his/her current position or a former position in the Federal service.

(2) Witness in nonofficial capacity. When an employee, in obedience to a subpoena or direction by proper authority, appears as a witness for the Federal Government or the District of Columbia in a nonofficial capacity, he/she is in official duty status.

c. Disposition of fees. Fees for jury service that may not be retained will be forwarded by the employee to the Customer Service Representative, Office of the Assistant Inspector General for Administration and Information Management.

d. Non-government witness. When an employee's appearance as a witness is not in an official duty status, and when a party is not the U.S., D.C., state, or local government; the absence from duty will be charged as either annual leave or LWOP.

8-5. Return to Duty. If an employee is excused or released by the court for any day or a substantial portion of a day, he/she is required to return to duty. However, when only 1 or 2 hours remain in the daily tour, the employee normally will not be expected to return to duty. Otherwise, failure to return to duty when excused or released by the court may result in a charge to annual leave, LWOP or AWOL.

8-6. Acceptance of Fees

a. Jury service in any Federal court. An employee may not receive fees for jury service on regular workdays in a Federal court, including any court of the District of Columbia, unless the employee is in an LWOP status. However, the employee may receive and retain fees for jury service on non-workdays for which he/she receives no compensation from Federal employment. The employee also may retain fees for jury service performed on a holiday in the basic tour of duty provided that if the employee had not been on jury service, he/she would have been excused from regular duties on the holiday.

b. Jury service in any state, county, or municipal court. An employee may accept fees for jury service in state, county, or municipal court for which the absence is charged to court leave. Fees may be accepted and retained by the employee under the following circumstances:

(1) When the amount paid by the court is in excess of normal gross salary.

(2) When the amount paid is for jury service performed outside the scheduled tour of duty (regular and overtime) that requires no absence from normal duties.

(3) When the amount paid is for jury service performed on a holiday falling within the employee's basic tour of duty, provided that if the employee had not been on jury service, he/she would have been excused from regular duties on the holiday.

When the amount paid by the court includes an allowance specifically identified as a transportation and subsistence expense allowance.

Table 8-1, Employee Absences for Court-Related Services									
		then, type of absence is recorded as:			and fees are payable to employee:			and travel authorized at Government expense	
Rule	If nature of service is:	Court Leave	Official Duty	Annual Leave/LWOP	No	Yes and retained	Yes but turned in	No	Yes
1	Jury service (United States or District of Columbia Court)	x			x			x	
2	Jury Service (state or local court)	x				x (note 1)	x	x	
3	Witness Service (on behalf of United States or District of Columbia government).		x		x				
4	Witness Service (on behalf of state or local government in official capacity)		x				x		x (note 2)
5	Witness Service (on behalf of state or local government not in official capacity).	x					x	x	
6	Witness service (on behalf of private party in official capacity).		x				x		x
7	Witness Service (on behalf of private party not in official capacity).			x		x		x	

8	Witness Service (on behalf of private party not in official capacity when a party is United States, District of Columbia, state, or local government).	x					x	x	
9	Witness Service (on behalf of private party not in official capacity when a party is not United States, District of Columbia, state, or local government).			x		x		x	
Notes: <ol style="list-style-type: none"> 1. Exceptions to include the State of Maryland. See Air Force Manual 177-372A, Volume II, Time and Attendance Reporting-Civilian Pay System. 2. 2Offset to extent paid by authority issuing summons. See also JTR 2, C4504. 									

CHAPTER 9 EXCUSED ABSENCE

9-1. General. An excused absence is an absence from duty administratively authorized without loss of pay or charge to leave. Excused absences are authorized on an individual basis, except when an installation is closed, or a group of employees is excused from work for various purposes.

9-2. Registration and Voting. Insofar as possible, without seriously interfering with operations, an employee may be excused for a reasonable time to vote or register to vote in an election or referendum on a civic matter in his/her community. As a general rule, when the polls are not open at least 3 hours either before or after the regular hours of work, excused absence may be authorized in an amount that will permit reporting for work within 3 hours after the polls open or leaving from work 3 hours before the polls close, whichever requires the lesser amount of time off. Employees on flexible work schedules will be excused only for those hours that cannot be accommodated by their flexitime schedules. When the distance to the voting place complies with the general rule, or when the jurisdiction in which the employee is voting requires voting in person, excused absence not to exceed one full day may be authorized. If more than one day is required for the trip, time off in excess of one day will be charged to annual leave or LWOP. If an employee votes in a jurisdiction that requires registration in person, time off to register may be granted on substantially the same basis as for voting, except that time off will not be granted if registration can be accomplished on a non-workday and the place of registration is within a reasonable one day, round-trip travel distance from the place of residence.

9-3. Emergency Rescue or Protective Work. Employees who can be spared without interference with essential agency operations and obligations may be excused to participate in emergency rescue or protective work during an emergency such as fire, flood or search operations. Such participation shall normally be limited to a maximum of 5 workdays per year. Employees may not be excused from duty without charge to leave for the purpose of performing rescue or guardsman duty that otherwise would be covered by military leave as authorized under Chapter 7.

9-4. Participation in Military Funerals. Employees who are veterans may be excused up to 4 hours in a day to participate in funeral ceremonies for members of the Armed Forces whose remains are returned to the United States from abroad for final interment in the United States. Excused absence for participation may be as a pallbearer, member of a firing squad or honor guard, but not as an honorary pallbearer. (See Chapter 5 for funeral leave for immediate relatives of deceased servicemen.)

9-5. Blood Donation. Employees are encouraged to serve as blood donors and will be excused from work without charge to leave for the time necessary to donate blood, for recuperation following blood donation, if necessary, and for necessary travel to and from the donation site. Excused time for recuperation is not an "automatic" entitlement: it should be granted only where the employee who has donated blood cannot return to work because they are unable to do so. The maximum excused time will not exceed 4 hours, except in unusual cases. When the employee must travel a long distance, or when unusual need for recuperation occurs, up to an additional 4 hours may be authorized.

9-6. Tardiness and Brief Absences

a. Tardiness and brief absences from duty of less than one hour may be excused if the reason(s) are justifiable to the supervisor.

b. When an employee is chronically tardy or otherwise absent from duty without an acceptable reason, such tardiness or absence should be charged to annual leave, LWOP or AWOL. If the absence is charged as AWOL, disciplinary action may be proposed.

c. Annual leave or LWOP may be charged only with the employee's consent. In the event a charge is made to annual leave or LWOP, it must be in multiples of 30 minutes. The employee will not be required to work during the period covered by the charge to annual leave or LWOP.

9-7. Taking Examinations. This applies only to examinations given by or taken at the request of the OIG, DoD. Employees will be excused, without charge to leave or loss of pay, for all examinations required for converting TAPER appointments to career-conditional or for required noncompetitive examinations within the OIG, DoD.

9-8. Attendance at Conferences or Conventions. An employee may be excused to attend conferences or conventions when it is determined that attendance will serve the best interests of the Federal service. Excused absence of that type shall be limited to 5 working days per calendar year. Such absences will be limited to situations where the employee is designated as an official representative, or where there is a relationship between the items on the agenda and the employee's official duty assignments. Employees will not be excused to attend conferences or conventions of political parties or partisan political groups or committees. An employee may not be excused to attend a conference or convention that does not relate directly to official assignments, but annual leave or LWOP may be allowed for that purpose to the extent work conditions permit.

9-9. Adverse Actions, Grievances, Appeals and Discrimination Complaints. If otherwise in an active duty status, employees may use reasonable amounts of official time, with necessary supervisory approval, under the following circumstances:

- a. To prepare or make a reply to a notice of proposed adverse or performance-based action.
- b. To present grievances. Employees and designated OIG, DoD, representatives, if otherwise in an active duty status, may use reasonable amounts of official time, subject to supervisory approval, to present grievances. Presentation of grievances means meeting with grievance examiners or management officials considering grievances. In addition, employees may use reasonable amounts of official time, subject to supervisory approval, to get advice on rights and procedures from the Personnel and Security Directorate. For representatives, official time will not be granted for services as a representative in grievance proceedings when it interferes with the performance of regular duties.
- c. To make equal employment opportunity (EEO) complaints. Employees and designated representatives, if otherwise in a duty status, may use reasonable amounts of official time, subject to supervisory approval, to prepare and present complaints.
 - (1) To prepare complaints. In addition to using official time to obtain advice on rights and procedures from official sources, employees and representatives are entitled to use reasonable amounts of official time to process and complete EEO complaint forms. Also, complainants will be afforded a reasonable amount of official time to prepare for meetings and hearings on their complaint. A reasonable amount of official time for preparation is generally defined in terms of hours, not days, weeks or months.
 - (2) To present complaints. This would include time to meet with the EEO Manager and concerned management officials, investigators, and examiners during the complaint process to include investigations, adjustment meeting and hearings.
- d. To appeal adverse and performance-based actions, within-grade increase denials, and classification downgrades. The conditions for approval of official time discussed in c., above, apply. Official time, however, will not be granted for employees and representatives to meet for consultative purposes or to review material in preparation for hearings, meetings, or investigative proceedings.

9-10. Illness Caused by Required Vaccinations or Immunizations. When an employee is absent because of illness from administratively required vaccinations or immunizations, the absence will be

considered an excused absence without charge to leave or loss of pay, provided the medical officer administering the vaccinations or immunizations certifies to the necessity of the absence.

9-11. Medical Examinations. Time spent for medical examinations to determine an employee's fitness for the Federal service will be considered duty time. That does not apply to physical examinations given to applicants prior to entrance on duty. In addition, examinations conducted by a personal physician for an employee as part of the process to apply for disability retirement are chargeable as sick leave, annual leave or LWOP. However, if a Federal medical officer requests to see an employee regarding an application for disability retirement, such time will be considered duty time.

9-12. On-the-Job Injuries. An employee sustaining a job-related injury is entitled to Continuation of Pay (COP) for up to 45 calendar days of disability following a traumatic injury. The COP is charged in days, not hours. Unless the injury occurs before the beginning of the workday, time loss on the day of injury is excused. See Inspector General Instruction 1438.3, Federal Employees' Compensation Program.

9-13. Utilizing Services of Personnel or EEO. An employee will be excused to use the services of the Personnel and Security Directorate or the Equal Employment Opportunity Division. However, the employee must first obtain his/her supervisor's permission to arrange to be absent from the worksite.

9-14. Draft Registration. Employees will be excused from duty without charge to leave or loss of pay for registration under the "Military Selective Service Act" for the time necessary to register, but not to exceed one day. Time in excess of one day is chargeable to annual leave. When registration is not required on any particular day, employees should be encouraged to register on a non-workday, if possible.

9-15. Armed Forces Medical Examinations. An employee will be excused for time spent in reporting for and undergoing a medical examination to determine eligibility for enlistment or induction into the Armed Forces of the United States provided his/her request for absence is supported by an official notice from the military authority. If the absence extends beyond one workday, the employee will be required to submit a statement from the induction station showing the necessity for the additional absence. If, by the employee's choice, orders are obtained that direct reporting to other than the nearest induction station, and, as a result, the employee is away from duty more than one day, absence in excess of one day will be charged to annual leave or LWOP. A medical examination for the purpose of recall to active duty, military training duty, or determining eligibility for retention in a Reserve component unit will be charged to sick leave, except when the reservist is ordered to active duty for that purpose. In the latter case, the medical examination is charged to military or annual leave, as appropriate. A medical or dental examination taken at the option of the employee and a medical examination directed by the Armed Services in connection with periodic physical examinations of retired military personnel is chargeable to sick leave.

9-16. Interviews

a. Employees may be excused up to 3 hours without charge to leave or loss of pay to participate in interviews when:

- (1) competition is for a position within the Department of Defense; or
- (2) the individual is under notice of separation or change to lower grade for any reason except personal cause.

b. Time spent in interviews in circumstances other than those above will be charged to annual leave or, if requested by the employee, leave without pay.

9-17. Absences for Relocation Purposes. An employee may be excused for a reasonable time (normally not to exceed 16 hours within CONUS or 40 hours outside of CONUS) to make personal

arrangements and to transact personal business directly related to a permanent change of station which is in the interest of the U.S. Government, provided that such business or arrangements cannot be transacted outside the employee's regular working hours. That includes such things as making arrangements for the packing and unpacking of household goods and obtaining a driver's license, auto tags and passports. Requests for additional time must be requested, in writing, and must include a detailed justification. The request is submitted to the AIG component head for approval/disapproval.

9-18. Administrative Dismissal. It is within the administrative discretion of the Inspector General to close all or part of an activity and to excuse employees administratively. Exercise of that authority will be in accordance with the provisions of Subchapter S3, Book 610, Federal Personnel Manual Supplement 990-2. Such instances will be made a matter of record and will be limited to situations where the normal operations of the OIG are interrupted by events beyond the control of management or employees (e.g., fires, power failures, malfunctioning equipment, renovation of facilities, severe environmental disturbances such as floods, air pollution, etc.). In such situations, the Inspector General may grant excused absence for up to five consecutive workdays. In arriving at the decision to close all or part of an OIG facility, the Inspector General shall:

- a. Provide for liberal use of annual leave and, as appropriate sick leave. For example, before considering any group c. dismissal because of temperature extremes, grant leave to employees with chronic medical conditions that could be aggravated by temperature extremes.
- b. Assure that group dismissals in connection with extreme weather conditions are authorized only in exceptional instances where working or commuting conditions are severe and health or safety of employees is endangered. (Area-wide weather emergencies usually are announced by state or local authorities and, in the Washington, D.C. area early dismissal is governed by OPM procedures.)
- c. Assure that group dismissal authority is not used to create a holiday.

CHAPTER 10 LEAVE WITHOUT PAY

10-1. General

a. Leave without pay (LWOP) is a temporary non-pay status and absence from duty that may be granted on the employee's request. The LWOP covers only those hours that an employee otherwise would work and for which the employee would be paid.

b. The LWOP is a scheduled, approved absence that is not dependent on type or tenure of appointment. The LWOP also cannot be imposed as a penalty, and an employee cannot be required to apply for LWOP in lieu of a suspension.

10-2. Granting Leave without Pay

a. Administrative discretion. Granting LWOP is a matter of administrative discretion. Normally, LWOP is granted when an employee has no accrued and/or accumulated annual leave except as prescribed in c., below. An employee cannot demand to be granted LWOP as a matter of right except for the following:

(1) A disabled veteran who presents a medical certificate stating the medical treatment is required.

(2) Reservists and National Guardsmen desiring LWOP for military training.

(3) For limited periods, employees receiving injury compensation under Chapter 81 of Title 5, United States Code.

b. Each request for LWOP will be examined closely to assure that value to the Government or the serious needs of the employee are sufficient to offset the costs and administrative inconveniences to the Government that result from the retention of an employee in an LWOP status. Among those costs and inconveniences are:

(1) Encumbrance of a position.

(2) Loss of services that may be vital to the OIG, DoD.

(3) Complication of retention registers in the event of reduction-in-force.

(4) Obligation to provide active employment at the end of the approved leave period.

(5) Creditable service for such benefits as retirement, leave accrual, within-grade increases, and severance pay.

(6) Eligibility for continued coverage (without cost to the employee for up to one year of nonpay status) under the Federal Employees' Group Life Insurance Act.

c. The following are examples for which approval of extended LWOP would be proper, all other factors being favorable.

(1) To attend to parental or family responsibilities, as outlined in Chapter 11.

(2) To pursue educational activities when the course of study or research is in line with the type of work being performed by the OIG Component, and when completion of such a course would contribute to the OIG Component's best interests.

(3) To serve with non-Federal public or private enterprise when the job is of temporary character and when one or both of the following will result:

(i) the service to be performed will contribute to the public welfare; and/or

(ii) the experience gained by the employee will also serve the interests of the employing OIG Component.

(4) To recover from illness or disability not of a permanent or disqualifying nature when continued employment or immediate return to employment would threaten impairment of the employee's health or the health of other employees.

(5) To protect the employee's status and benefits pending final action by the Office of Personnel Management on a claim for disability retirement after all sick and annual leave have been exhausted.

(6) To protect the employee's status and benefits pending final action by the Office of Workers' Compensation Programs on a claim for employment-connected injuries or disease. The LWOP is also proper while the employee is receiving compensation and can be expected to return to work within six months or on a definite date within one year.

(7) For family members who are career or career-conditional employees, or excepted employees with competitive status, accompanying their military or Federal civilian employee sponsor to a new duty station who intend to seek Federal employment in the new area. The LWOP shall not exceed 90 calendar days. In those cases, a Standard Form (SF) 52, Request for Personnel Action, indicating "resignation" with an effective date of 90 calendar days, from the commencement of the LWOP, shall be submitted with the SF 52 authorizing LWOP; Part IV of the resignation SF S2 shall be completed. On completion of the above, action to fill permanently behind those individuals may be initiated. Additional LWOP may be granted on the employee's request, at the discretion of the leave authorizing official, for those individuals unable to find employment.

d. A basic condition for approval of an extended period of LWOP is that there must be a reasonable expectation that the employee will return to duty at the end of the LWOP, except for those circumstances discussed in c. (5), (6), and (7), above. If considered desirable, written assurance of return to duty may be required. In addition, it should be apparent that at least one of the following benefits will result:

(1) Fulfillment of parental or family responsibilities (see Chapter 11).

(2) Increased job ability.

(3) Protection or improvement of the employee's health.

(4) Retention of a desirable employee.

(5) Furtherance of a program of interest to the Government.

e. The LWOP will not be granted for any period of time:

(1) To engage in private or commercial work where experience in such work is judged to be of no value to the OIG, DoD.

(2) To engage in political activities.

(3) To hold a civilian position with any other Federal agency.

(4) To an employee who is not expected to return to duty in his/her current position, except as specified in c(5), (6), and (7), above.

f. Approval authority is as follows:

(1) The LWOP not to exceed 30 calendar days may be approved by the employee's supervisor.

(2) Requests for LWOP in excess of 30 calendar days are subject to the approval of the appropriate OIG Component Head.

g. While there is no maximum amount of LWOP that may be granted, the initial grant will normally not exceed one year. Renewals for any like or shorter periods should be considered an exception to the norm.

10-3. Recording. An SF 52 will be submitted to the Personnel Operations Division, Personnel and Security Directorate, OAIG- A&IM, for all approved LWOP exceeding 30 calendar days. It must contain, or have attached, all information that served as the basis for the approval.

10-4. Advice to Employees

a. Employees who are covered by a Federal Employees' Health Benefit Plan shall be required to pay the employee's share of the premium while in a non-pay status. The employee shall make appropriate arrangements for payment of the premiums with the civilian payroll office.

b. Time in a non-pay status in excess of the allowable amount will normally extend the required waiting period for advancement to the next higher step of the grade of the employee's position by the excess amount. It may also affect eligibility for retirement and continued coverage under the Federal Employees' Group Life Insurance Act.

c. When LWOP for full time employees reaches 80 hours, annual and sick leave will no longer be earned/credited until the employee returns to a pay status.

CHAPTER 11 LEAVE FOR PARENTAL AND FAMILY RESPONSIBILITIES

11-1. Absence for Maternity Reasons

- a. When incapacity for work is established by medical authority, the use of sick leave for maternity reasons is a right accruing to the employee regardless of the type of appointment held.
- b. Absence for maternity reasons may be charged to sick leave or a combination of sick or annual leave or LWOP. An employee should not be granted LWOP until sick leave has been exhausted. However, an employee may elect to use LWOP rather than annual leave (except use-or-lose annual leave). Approval of request for LWOP will be made in accordance with Chapter 10.
- c. Sick leave may be advanced for maternity reasons as set forth in Chapter 4.
- d. The period during which pregnant women should not continue at work is to be determined by the employee, her physician, and her supervisor.
- e. When there is doubt as to an employee's ability to continue to perform the duties of her position safely, the supervisor should have her furnish a medical certificate authorizing continued work and should take whatever precautionary measures appear necessary.
- f. An employee should report pregnancy as soon as it is known. Steps can then be taken to protect her health through accommodation of working conditions, and her plans to continue work can be made.

11-2. Granting Leave for Maternity Reasons

- a. Employees will request leave for maternity reasons far enough in advance of anticipated confinement to allow for proper cross-training and administrative planning for a substitute replacement. Requests for leave will be submitted in advance. The request for leave, accompanied by a doctor's certificate that states the anticipated date of delivery and the expected period of convalescence after the birth of the child, will be submitted to the supervisor for approval or disapproval.
- b. Whether the employee contemplates resigning or returning to duty following leave for maternity reasons, the employee will be granted sick leave to the extent that accumulated sick leave credit is available. The accumulated sick leave credit will be applied on a regular pay period basis. Time-limited appointments will not be extended for the sole purpose of granting sick leave under those provisions.
- c. Absence not medically certified as due to incapacity for the performance of duty may be the basis for an employee's request for annual leave or LWOP, but will not be approved as sick leave.

11-3. Absence for Paternity Reasons. A male employee may request annual leave or LWOP for purposes of assisting or caring for his minor children or the mother of his newborn child while she is incapacitated for maternity reasons. Each request should be considered on its own merits and in consonance with the policies in Chapters 3 and 10, respectively, on annual leave and LWOP.

11-4. Leave for Adoptive or Foster Parents. An employee, male or female, adopting a child or becoming a foster parent may desire a period of time off work in order to make necessary family adjustments and to make arrangements for child care. The use of available annual leave or LWOP is appropriate for such purposes.

11-5. Leave for Child Care

- a. Well-baby care. Annual leave and LWOP are appropriate when a parent takes a child for periodic medical checkups.
- b. Routine illness. Annual leave and LWOP are appropriate when a parent must stay home with a sick child.
- c. Other illness. Employee who must stay home to care for a child with a contagious disease for which public health officials require the child be quarantined, isolated or restricted, or who are exposed to such a disease, shall be granted sick leave, on submission of appropriate documentation.

11-6. Leave for Other Parental and Family Responsibilities. School schedules and activities. Supervisors should be flexible in granting leave for parents who are obligated to attend events such as teacher conferences, school plays, sporting events or other activities. Annual leave or LWOP are appropriate for those activities.

11-7. Leave to Care for Elderly Parents and Other Dependents. One of the typical family responsibilities is the care of the elderly or infirm. Annual leave or LWOP are appropriate when an employee needs time off to attend to the medical and personal needs of those dependents.

CHAPTER 12 HOME LEAVE

12-1. General. Home leave is earned by employees serving in posts outside the United States, the Commonwealth of Puerto Rico, or a possession of the United States. Employees may use home leave whenever they are in the continental United States.

12-2. Eligibility Requirements. Home leave is earned in daily, not hourly, increments at the following rates for each 12 months abroad:

- a. Fifteen days when serving under a mobility agreement prescribing that the incumbent must accept assignments anywhere in the world as determined by the OIG.
- b. Fifteen days for service at a post for which a foreign or non-foreign differential of 20 percent or more is authorized.
- c. Fifteen days for service with a United States mission to a public international organization.
- d. Ten days for service at a post for which a foreign or non-foreign differential of at least 10 percent, but less than 20 percent, is authorized.
- e. Five days for service at a post other than those listed above.

11-3. Computation. Service abroad begins on the (late of arrival for duty or the enter-on-duty date if recruited abroad at a post outside the U.S. and ends on the date of departure from post for separation or reassignment in the U.S. or separation abroad. Full credit is given for the day of arrival and the day of departure. Service abroad includes absences without pay up to two weeks each 12 months abroad, authorized leave with pay, time spent in the U.S. Armed Forces which interrupts service abroad and period of detail. Computation of home leave for each month of service abroad is as follows

Month of Service	15 days a Year	10 Days a Year	5 Days a Year
1	1	0	0
2	2	1	0
3	3	2	1
4	5	3	1
5	6	4	2
6	7	5	2
7	8	5	2
8	10	6	3
9	11	7	3
10	12	8	4
11	13	9	4
12	15	10	5

12-4. Credit. Home leave credit for the month in which an employee moves from one foreign post to another foreign post with a different home leave rate will be at the rate for the post from which transferred. If there is a change in the differential rate during the month of service, the home leave rate for the month remains at the rate to which the employee was entitled before the change.

12.5. Limitations. Home leave may be accumulated without limit but cannot be used as terminal leave nor can a lump sum payment be made.

12-6. Approval. Use of home leave may be approved by the employee's supervisor with concurrence of the-component Director, in accordance with the following:

- a. Employees are eligible to use home leave only after 24 months of continuous service overseas, provided there has not been a break in service nor a permanent assignment to a position for which home leave is not authorized.
- b. Home leave may be used only during service abroad.
- c. Home leave may be used in combination with other types of leave.
- d. Home leave may be approved for use only in the United States, the Commonwealth of Puerto Rico, or possessions of the United States.
- e. Home leave may be approved only when employees are expected to return to a post overseas.
- f. Home leave will be charged in full day increments only.
- g. Home leave earned during previous assignments abroad, but not used, may be used upon reassignment from the U.S. to another post overseas, if the employee has completed at least the initial tour of duty prescribed for that post. Earlier use of home leave may be approved when warranted in individual cases.

12-7. Indebtedness. Employees who fail to return to service abroad after a period of home leave or after the completion of a temporary assignment in the U.S. are indebted for the home leave used unless:

- a. They have completed six months or more in an assignment in the U.S. after using home leave.
- b. The Inspector General determines that there were compelling personal reasons of a compassionate or humanitarian nature, such as physical or mental health, or circumstances over which the employee had no control.
- c. The Inspector General determines it is in the public interest not to return the employee to the overseas post.

12-8. Transfer. Home leave accounts will be transferred with an employee moving between agencies, or recredited to their account when they are reemployed without a break in service of more than 90 days.

APPENDIX A DEFINITIONS

1. **Absence without Leave.** A non-pay status for an employee absent from duty during a regularly scheduled basic tour of duty, for which authorization was not obtained in advance or for which a request for leave was denied.
2. **Accrued Leave.** Leave earned during the current leave year that is unused at any given time during the year.
3. **Accumulated Leave.** Unused leave remaining to the credit of an employee at the beginning of a leave year.
4. **Annual Leave.** Approved paid absence from duty to provide for vacation periods or extended leave for rest and recreation, and periods of time off for personal or emergency reasons.
5. **Contagious Disease.** A disease requiring isolation of the patient, quarantine or restriction of movement, as prescribed by the health authorities having jurisdiction.
6. **Court Leave.** Authorized absence without charge to leave or loss of pay from work for jury service or for attending judicial proceedings in a nonofficial capacity as a witness on behalf of a state or local government, or in a nonofficial capacity on behalf of a private party in connection with judicial proceedings to which the U.S., D.C., state, or local government is a party.
7. **Employee.** Individual appointed to an appropriated fund civil service position who is eligible to accrue and use annual leave under the provisions of Section 63, Title 5, United States Code.
8. **Family Member.** Under the Voluntary Leave Transfer Program, the following relatives of the employee:
 - a. spouse, and parent thereof;
 - b. children, including adopted children, and spouses thereof;
 - c. parents;
 - d. brothers and sisters, and spouses thereof; or
 - e. any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.
9. **Intermittent (When Actually Employed) Service.** Services rendered by employees for whom no tour of duty can feasibly be established on a continuing basis. Those services apply to those employees who are expected to respond to requests for duty in connection with an unscheduled activity, such as a consultant called in to render service on a special problem.
10. **Leave Donor.** An employee whose voluntary written authorization for transfer of annual leave to the annual leave account of a leave recipient that has been approved by his/her own employing agency.
11. **Leave Recipient.** An employee for whom the employing agency has approved an application to receive annual leave from the annual leave account(s) of one or more leave donor(s).

12. **Leave Without Pay (LWOP).** An approved temporary nonpay status and absence from duty granted at the employee's request.
13. **Leave Year.** The period beginning with the first day of the first complete biweekly pay period of a calendar year and ending with the day before the beginning of the first complete biweekly pay period in the next calendar year.
14. **Medical Certificate.** A written statement signed by a registered practicing physician or other medical practitioner certifying to an employee's incapacitation, examination, treatment or period of disability while receiving professional treatment.
15. **Medical Emergency.** A medical condition of the employee or a family member of such employee that is involuntary and beyond the control of the leave recipient and is likely to require and employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of the unavailability of paid leave that is appropriate because of the unavailability of paid leave that is appropriate to the medical emergency. Maternity situations without unusual medical complications are not considered a medical emergency.
16. **OIG Component Head.** The Assistant Inspectors General and the Director, IG Regional Office--Europe.
17. **Sick Leave.** Absence with pay to be used when an employee is incapacitated for performance of his/her duties by sickness, or when an employee has a medical, dental, or optical examination or treatment.

APPENDIX B VOLUNTARY ANNUAL LEAVE TRANSFER PROGRAM

VOLUNTARY ANNUAL LEAVE TRANSFER PROGRAM LEAVE RECIPIENT APPLICATION				
<p align="center"><u>Privacy Act Statement</u></p> <p>Participation in this program is voluntary, however, solicitation of this information is authorized by P. L. 100-566, October 31, 1988. The information furnished will be used to identify records properly associated with the application to become a leave recipient. It may also be disclosed to a national, state, or local law enforcement agency where there is an indication of a violation or potential violation of civil or criminal law, rule or regulation; or to another agency or court where the Government is party to a suit. Executive Order 9397, November 22, 1943, authorizes use of the Social Security Number (SSN). Furnishing the SSN, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application.</p>				
1. EMPLOYEE IDENTIFICATION				
a. NAME (Last, First, Middle Initial)			b. SOCIAL SECURITY NO.	
c. POSITION TITLE			d. GRADE/STEP	
e. ORGANIZATION (AIG Component, Division, Branch)			f. SALARY	
2. LEAVE DATA				
a. AS OF (YYMMDD)	b. ANNUAL LEAVE BALANCE	c. SICK LEAVE BALANCE	f. DATE AVAILABLE LEAVE EXPIRES (YYMMDD)	g. ACCRUAL RATE FOR ANNUAL LEAVE
	d. CREDIT HOURS	e. COMPENSATORY HOURS		
3. MEDICAL EMERGENCY				
<p>a. DESCRIPTION (Briefly describe the nature, severity and anticipated duration of the medical emergency, and if it is a recurring one, the approximate frequency of the medical emergency that will affect your need for leave transfer. Attach appropriate medical documentation.)</p> <p align="right"><i>Revised 1-6-00 See "Leave Transfer Program" Tab</i></p>				
<p>b. INDIVIDUAL AFFECTED BY MEDICAL EMERGENCY (check one) <input type="checkbox"/> Employee <input type="checkbox"/> Employee Family Member</p>				
c. DATE THE MEDICAL EMERGENCY BEGAN			d. DATE THE MEDICAL EMERGENCY ENDED (or is expected to end)	
e. CONTACT DURING PERIOD OF EMERGENCY				
(1) EMPLOYEE TELEPHONE NUMBER (Include Area Code)		(2) OTHER POINT OF CONTACT (If applicable)		
		(a) Name (Last, First, Middle Initial)		(c) Address (Street, City, State and Zip Code)
		(b) Telephone Number (Include Area Code)		

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4. APPLICANT CERTIFICATION. I authorize the Personnel and Security Directorate and/or OIG officials involved in the Voluntary Leave Transfer Program to release information in Items 1 and 3 above. I am aware that publication of all or part of this information may be necessary to find leave donors. I certify that the above statements are true.	
a. SIGNATURE (If other than applicant, attach applicant's authorization)	b. DATE SIGNED
5. IMMEDIATE SUPERVISOR (Complete and forward to OIG Component Head within 4 days after receipt). _____ Recommend approval. The employee (named in Item 1 above) meets required criteria for leave transfer. _____ Recommend disapproval. (If disapproved, enclose a statement of explanation.)	
a. NAME OF SUPERVISOR (Print)	b. ORGANIZATION
c. DATE	d. SIGNATURE
6. AIG COMPONENT HEAD (Complete, notify applicant, and forward to the Personnel and Security Directorate within 10 days of request.) _____ Request is approved. The employee (named in Item 1 above) meets required criteria for leave transfer. _____ Request is disapproved. (If disapproved, enclose a statement of explanation.)	
a. NAME OF APPROVING OFFICIAL (Print)	b. AIG COMPONENT
c. DATE	d. SIGNATURE
7. FORWARD TO PERSONNEL AND SECURITY DIRECTORATE FOR APPROPRIATE ACTION.	

IG FORM 1424.630-1 (REVERSE)

APPENDIX C
VOLUNTARY ANNUAL LEAVE TRANSFER PROGRAM
LEAVE DONOR APPLICATION

VOLUNTARY ANNUAL LEAVE TRANSFER PROGRAM LEAVE DONOR APPLICATION					
<u>Privacy Act Statement</u>					
<i>Participation in this program is voluntary, however, solicitation of this information is authorized by P. L. 100-566, October 31, 1988. The information furnished will be used to identify records properly associated with the application to become a leave recipient. It may also be disclosed to a national, state, or local law enforcement agency where there is an indication of a violation or potential violation of civil or criminal law, rule or regulation; or to another agency or court where the Government is party to a suit. Executive Order 9397, November 22, 1943, authorizes use of the Social Security Number (SSN). Furnishing the SSN, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application</i>					
1. EMPLOYEE IDENTIFICATION					
a. NAME (Last, First, Middle Initial)				b. SOCIAL SECURITY NO.	
c. POSITION TITLE				d. GRADE/STEP	
e. ORGANIZATION (AIG Component, Division, Branch)				f. SALARY	
2. LEAVE DATA (Attach a copy of your leave and earnings statement)					
a. ANNUAL LEAVE BALANCE	b. AS OF (YYMMDD)	c. ACCRUAL RATE FOR ANNUAL LEAVE	d. HOURS TO BE EARNED DURING REMAINDER OF LEAVE YEAR	e. HOURS TO BE DONATED	f. *USE OR LOSE HOURS INCLUDED IN 2 e
3. DESIGNATED LEAVE RECIPIENT					
a. NAME (Last, First, Middle Initial)			b. ORGANIZATION		
4. EMPLOYEE CERTIFICATION (X and complete all that apply)					
In the event the medical emergency of the leave recipient is terminated and it is determined there is sufficient transferred annual leave to restore to leave donors, I elect that any unused leave be restored as follows:					
X	a. CREDIT IN THE CURRENT LEAVE YEAR.				
X	b. CREDIT EFFECTIVE THE BEGINNING OF THE NEXT LEAVE YEAR.				
X	c. CREDIT TO ANOTHER LEAVE RECIPIENT (Complete (1) thru (4) below)				
X	(1) Name (Last, First, Middle Initial)			(2) Organization	
X	(3) Credit ALL restored leave to recipient designated in (1).				
X	(4) Credit _____ % to the leave recipient _____ % to my leave account designated in 4a or b.				
d. SIGNATURE				e. DATE WFFD (YYMMDD)	

IG FORM 1424.630-2, JUNE 1991